

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Arbitration - Suits – Settlement of Arbitration Award dated 26-05-1993 in respect of the work of earth work excavation of Vempadu Major (Head Reach) from Km.10.280 to Km.10.500 vide Agt.No.19/SE/NZD/1983-84, dated 27-02-1984 with Sri Kalagara Venkateswara Rao-Sanctiom of an amount of Rs.3,36,748/- as full and final settlement - Orders – Issued.

IRRIGATION & C.A.D. (ARB.) DEPARTMENT.

G.O.(Ms.) No. 222

Dated the 27th July, 2009.

Read the following:-

1. From Sri Kalagara Venkateswara Rao, Contractor, representation dated 25-10-2007.
2. Govt.Memo.No.2657/08, I & CAD (ARB) Dept.,dt 27-03-08.
3. From the ENC (Irrgn.), I & CAD Dept., Hyderabad, Lr.No.ENC(I)/DCE (GDS)/OT2/AEE/NSLC/Vempadu 10.280 to KM 10.500, dated 30-06-2008.

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ORDER:

Sri Kalagara Venkateswara Rao, contractor, in the reference first read above, has stated that in pursuance of the Hon'ble High Court's Common order dated 06-07-2007 in CRP.2524/1995 in OS.No.71/1993 and CMA.1958/1998 in OP.No.130/1993, he has submitted the representation for the purpose of conciliation in the matter and for settling his claim. He has therefore requested to examine the matter with regard to his representation and give an opportunity to attend the hearing of the case, in the interest of justice.

2. Based on the representation of Sri K.Venkateswara Rao, contractor and in compliance of the directions of the Hon'ble High Court of Andhra Pradesh in CRP.2524/1995 in OS.No.71/1993 and CMA.1958/1998 in OP.No.130/1993 dated 06-07-2007, the Govt., in its Memo. dated 27-03-2008, have referred the case to the conciliation Committee constituted for Andhra Region for an amicable settlement with the contractor.

3. In his letter dated 30-06-2008, the ENC (Irrgn.) & Convener of the Conciliation Committee for Andhra Region has stated that after conciliation with the agency, with reference to the claims made in respect of the subject work, the Conciliation Committee has recommended for an amount of Rs.3,36,748/- as full and final settlement of Arbitration Award for which the contractor has also furnished a notarized affidavit duly declaring that he will withdraw all his legal proceedings in respect of the subject work pending in Hon'ble High Court or in any of the Court in Andhra Pradesh if the above said amount including interest i.e, Rs.3,36,748/- is paid to him in token as full and final settlement of the arbitration claims pending in Courts in respect of the subject work.

4. The Prl.Secy. to Govt., I & CAD (ARB) Dept. has conducted final conciliation with the contractor on 21-08-2008. The Contractor has sent his authorized representative Sri P. Satyanarayana duly authorizing him to negotiation conciliation. After conciliation, the authorized representative of the contractor has agreed for an amount of Rs.3,36,748/- as full and final settlement of the case.

5. After careful examination of the matter, Government hereby sanction an amount of Rs.3,36,748/- (Rupees three lakhs thirty six thousand seven hundred and forty eight only) payable to Sri Kalagara Venkateswara Rao, Contractor as full and final settlement of the Arbitration Award dated 26-05-1993 which was decreed dt.31.01.1995 in OS.No.71/93 and OP.No.130/93, in respect of the work relating to "Earth Work Excavation of Vempadu Major (Head Reach) from KM 10.280 to KM 10.500 under Agt. No.19/SE/NZD/1983- 84, dt. 27-02-1984.

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6. The amount sanctioned in para (5) above, shall be debited to the following Head of Ac count: "MH 2701 – M & MI 01 – MIC – MH 101 – NSP – GH 11 – NS Plan – SH 27 C&D – 530 Major works – 531 Other expenditure".

7. The Chief Engineer, Nagarjuna Sagar Project, Camp Office, Hyderabad is directed to take necessary further action for making payment of the amount sanctioned at para (5) above to Sri Kalagara Venkateswara Rao, Contractor, duly deducting the amounts that are recoverable on whatsoever account.

8. This order issues with the concurrence of Finance (W&P) Dept. vide their U.O.No.2538/F2(1)/09-1, dated 10-07-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Chief Engineer, Nagarjuna Sagar Project, I & CAD Department,
Camp Office: Jalasoudha, Errummanzil, Hyderabad.

The Pay & Accounts Officer, Hyderabad.

The Deputy Pay and Accounts Officer, Secretariat Branch, Hyd.

Sri Kalagara Venkateswara Rao, Contractor, Mukkollupadu,
Nizvid Manda, Krishna District.

The Asst. Pay and Accounts Officer, NSLC Circle, Nuzvid.

Copy to:

The Superintending Engineer, N.S.Left Canals Circle, Nuzvid – 521 201.

The I & CAD (P&B) Department.

The Finance (W&P) Department. (with a request
to release LOC for the sanctioned amount).

The Accountant-General, Andhra Pradesh, Hyderabad.

The Learned Advocate-General, High Court of
Andhra Pradesh, High Court Buildings, Hyderabad.

S.F. S.Cs.

// FORWARDED :: BY ORDER //

SECTION OFFICER.